S.B. Criminal Misc. II Bail Application No.4857/2006
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Date : 07.11.2006

HON'BLE MR.SATYA PRAKASH PATHAK, J.

Mr. Sanjay Mathur for the applicant.
Mr. V.R. Mehta, Public Prosecutor.

Both the bail applications under Section 439 Cr.P.C. have been filed by one and same accused applicant, therefore, they are being disposed of by this common order.

I have heard learned counsel for the applicant as well as the learned Public Prosecutor for the State and carefully gone through the impugned order.

The contention of learned counsel for the applicant is that no recovery is to be made from the applicant and the applicant is in jail since March, 2006 and the offence is triable by the Magistrate.

On the other hand, learned Public Prosecutor has opposed the bail application.

After hearing learned counsel for the parties and taking into consideration the overall facts and circumstances of the present case and the fact that no previous conviction has been recorded as stated by learned counsel for the applicant at bar, I deem it just and proper to enlarge the accused applicant on bail.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that applicant Arjun Lal S/o Bhagwan Lal shall be released on bail in FIR Nos.51/2006 and 52/2006 P.S. Kotwali, District Dungarpur, provided he executes a personal bond in the sum of Rs.30,000/- each with two sound and solvent sureties in the sum of Rs.15,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(SATYA PRAKASH PATHAK), J.

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